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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 8

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Austria: draft decision

1997/... Children and juveniles in detention

The Commission on Human Rights, reaffirming its resolution 1996/32 of 19 April 1996 entitled "Human rights in the administration of justice, in particular of children and juveniles in detention", welcomes the report of the Secretary-General (E/CN.4/1997/26), requests the Secretary-General to submit an updated report at its fifty-fourth session, and decides to resume, on a biennial basis, consideration of this question at its fifty-fourth session under the agenda item entitled "Question of the human rights of all persons subjected to any form of detention or imprisonment".

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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 3

ORGANIZATION OF THE WORK OF THE SESSION

Australia*, Austria, Bhutan, Brazil, Bulgaria, Canada, Colombia, Costa Rica*, Cyprus*, Denmark, El Salvador, Germany, India, Ireland, Italy, Netherlands, Poland*, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: draft decision

1997/... Tolerance and pluralism as indivisible elements in the promotion and protection of human rights

The Commission on Human Rights, bearing in mind its resolution 1996/19, entitled "Tolerance and pluralism as indivisible elements in the promotion and protection of human rights", and the need to allow time for the implementation of the resolution, decides to defer consideration of this question to its fifty-fourth session under the relevant agenda item.

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 16

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION

Bhutan, Cyprus*, El Salvador, Greece*, Honduras*, Indonesia, Iraq*, Malaysia, Marshall Islands*, Mexico, Morocco*, Myanmar*, Nepal, Nicaragua, Nigeria*, Pakistan, Peru*, Philippines, South Africa, Sri Lanka, Thailand* and Viet Nam*: draft resolution

1997/... Traffic in women and girls

The Commission on Human Rights,

Reaffirming the principles set forth in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenants on Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Declaration on the Elimination of Violence against Women,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling

That the Vienna Declaration and Programme of Action (A/CONF.157/23), adopted by the World Conference on Human Rights on 25 June 1993, affirmed the human rights of women and the girl child as an inalienable, integral and indivisible part of universal human rights,

The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and taking note of the comments contained in the report of the Secretary-General,

All previous resolutions on the problem of the traffic in women and girls,

Affirming the provisions of the outcome of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders pertaining to the traffic in women and children,

Acknowledging the work done by intergovernmental and non-governmental organizations in compiling information on the scale and complexity of the problem of trafficking, in providing shelters for trafficked women and children and in effecting their voluntary repatriation to their countries of origin,

Noting with concern the increasing number of women and girls from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that trafficking also victimizes young boys,

Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, including for prostitution and other forms of commercial sex, which are violations of the human rights of women and girls and are incompatible with the dignity and worth of the human person,

Realizing the urgent need for the adoption of effective measures nationally, regionally and internationally to protect women and girls from this nefarious traffic,

1. Notes with appreciation the report of the Secretary-General on the traffic in women and girls (A/51/309);

2. Welcomes the convening of the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996;

3. Calls upon Governments of countries of origin, transit and destination, and regional and international organizations, as appropriate, to implement the Platform for Action of the Fourth World Conference on Women by:

(a) Considering the ratification and enforcement of international conventions on trafficking in persons and on slavery;

(b) Taking appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;

(c) Stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;

(d) Allocating resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care and taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

(e) Developing educational and training programmes and policies and considering enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

4. Invites Governments to accord standard minimum humanitarian treatment to trafficked persons, consistent with human rights standards and, with the support of the United Nations, to formulate manuals for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to sensitizing them to the special needs of victims;

5. Encourages, in this regard, relevant United Nations bodies and organizations, including the United Nations International Research and Training Institute for the Advancement of Women, the United Nations Development Fund for Women, the United Nations Children's Fund, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, as well as the International

Organization for Migration, to contribute to the preparation of guidelines for the use of Governments in the elaboration of their manuals, in cooperation with all relevant intergovernmental and non-governmental organizations, including those concerned with traumatic stress, taking into account existing research material or studies on the subject;

6. Invites the Special Rapporteur on violence against women, its causes and consequences and the Special Rapporteur on the sale of children, child prostitution and child pornography, in addressing the obstacles to the realization of the human rights of women, to include traffic in women and girls among their priority concerns;

7. Encourages the Centre for Human Rights to include the issue of traffic in women and girls in its programme of work under its advisory, training and information activities, with a view to providing assistance to Governments, upon their request, in instituting preventive measures against trafficking through education and appropriate information campaigns;

8. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to encourage its Working Group on Contemporary Forms of Slavery to continue to address the issue of the traffic in women and girls under its Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others (see E/CN.4/Sub.2/1995/28/Add.1);

9. Invites relevant intergovernmental and non-governmental organizations to provide advisory services to Governments, upon their request, in planning and setting up rehabilitation programmes for victims of trafficking and in training personnel who will be directly involved in the implementation of these programmes;

10. Welcomes the decision of the Economic and Social Council to devote its coordination segment of 1997 to mainstreaming a gender perspective;

11. Requests the Secretary-General to provide the Commission, at its fifty-fourth session, with his report to the General Assembly at its fifty-second session on the implementation of General Assembly resolution 51/66;

12. Decides to continue its consideration of the question at its fifty-fourth session under the relevant agenda item.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 14

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Bangladesh, Egypt, Indonesia, Iran (Islamic Republic of)*, Libyan Arab Jamahiriya*, Malaysia, Nigeria*, Papua New Guinea, Republic of Korea, Saudi Arabia*, Singapore*, Thailand*, and United Arab Emirates*: proposed amendments to draft resolution E/CN.4/1997/L.20

1. Replace the sixth preambular paragraph by

Recalling that article 6.2 of the International Covenant on C and Political Rights provides that sentence of death may be imposed for the most serious crimes in accordance with the law in force at time of the commission of the crime and not contrary to the provisi of that Covenant.

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* In accordance with rule 69, paragraph 3, of the rules of procedu of the functional commissions of the Economic and Social Council.

2. Add the following operative paragraph 1

Reaffirms the sovereign right of States to determine the legal system appropriate to their societies, taking into account the relevant provisions of international law;

3. Replace Calls upon by Invites in operative paragraphs 3 and 4.

4. Delete operative paragraph 5.

5. Delete operative paragraph 6.

6. Delete operative paragraph 7.

7. Delete operative paragraph 8.